

The action allows the State of Alaska's existing application for selection to attach, and classifies the land as suitable for conveyance of the land to the State, if such land is otherwise available. Any land described herein that is not conveyed to the State will continue to be subject to the terms and conditions of Public Land Order No. 5180, as amended, and any other withdrawal of record.

EFFECTIVE DATE: August 3, 1995.

FOR FURTHER INFORMATION CONTACT:

Sue A. Wolf, BLM Alaska State Office, 222 W. 7th Avenue, No. 13, Anchorage, Alaska 99513-7599, 907-271-5477.

By virtue of the authority vested in the Secretary of the Interior by Sections 17(c), 17(d)(1), and 22(h)(4) of the Alaska Native Claims Settlement Act, 43 U.S.C. 1616(c), 1616(d)(1), and 1621(h)(4) (1988), and by Section 204 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714 (1988), it is ordered as follows:

1. Public Land Order No. 5150, as amended, which withdrew public lands as a utility and transportation corridor, is hereby modified to allow conveyance of the following described land to the State of Alaska:

Fairbanks Meridian

T. 15 S., R. 10 E. (Partly Surveyed),
Sec. 1, 2, 3, 10, 11, and 12.

The area described contains approximately 3,840 acres.

2. Subject to valid existing rights, the land described above is hereby classified as suitable for conveyance to the State of Alaska under either the Alaska Statehood Act of July 7, 1958, 48 U.S.C. note prec. 21 (1988), or Section 906(b) of the Alaska National Interest Lands Conservation Act, 43 U.S.C. 1635(b) (1988).

3. The State of Alaska application for selection made under Section 6(b) of the Alaska Statehood Act of July 7, 1958, and under Section 906(e) of the Alaska National Interest Lands Conservation Act, 43 U.S.C. 1635(e) (1988), becomes effective without further action by the State upon publication of this public land order in the **Federal Register**, if such land is otherwise available. If not conveyed to the State, the land will continue to be subject to the terms and conditions of Public Land Order No. 5180, as amended, and any other withdrawal of record.

Dated: July 25, 1995.

Bonnie R. Cohen,

Assistant Secretary of the Interior.

[FR Doc. 95-19045 Filed 8-2-95; 8:45 am]

BILLING CODE 4310-JA-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR PART 1

[DA 95-1617]

Interactive Video and Data Service (IVDS) Licenses—Clarification of “Grace Period” Rule for IVDS “Auction” Licensees Paying by Installment Payments

AGENCY: Federal Communications Commission.

ACTION: Clarification.

SUMMARY: The staff of the Wireless Telecommunications Bureau of the Commission has clarified the “grace period” rule concerning installment payments for IVDS licenses won at auction.

EFFECTIVE DATE: June 26, 1995.

FOR FURTHER INFORMATION CONTACT:

Joy Alford, Wireless Telecommunications Bureau, (202) 418-0680.

SUPPLEMENTARY INFORMATION: The following is the full text of the *Public Notice*, DA 95-1617, which was released June 26, 1995. The text may also be purchased from the Commission's copy contractor, International Transcription Services, Inc., 2100 M Street, Suite 140, Washington, DC 20037, telephone (202) 857-3800.

Released: June 26, 1995.

Wireless Telecommunications Bureau Staff Clarifies “Grace Period” Rule for IVDS “Auction” Licensees Paying by Installment Payments

Section 1.2110(e) of the Commission's auction rules, 47 CFR 1.2110(e), provides that in the event a licensee defaults on its installment payment obligation, the FCC may cancel the license. In the *Second Report and Order* in PP Docket No. 93-253, 9 FCC Rcd 2348, 2391 ¶ 240 (1994) 59 FR 22980, May 4, 1994, the Commission stated that it would “consider providing a three to six month grace period a delinquent payor's license cancels.” Recently, the Wireless Telecommunications Bureau staff clarified this payment rule in the context of Personal Communications Service (PCS) auctions. See FCC Public Notice, “Wireless Telecommunications Bureau Staff Responds to Questions About the Broadband PCS C Block Auction,” Mimeo 54270, released June 8, 1995. In response to inquiries, the staff now clarifies that this interpretation applies to Interactive Video and Data Service (IVDS) licensees as well. Interested parties should

understand that this advice and rule interpretation constitute informal staff opinion, not an official Commission decision or ruling.

IVDS licensees that elect to pay for their licenses in installments will have their licenses conditioned upon full and timely performance of all installment payment obligations. The Commission's rules provide that a licensee will be deemed in default on its installment payments if it is more than 90 days delinquent in making a payment to the government.

Any time prior to the expiration of the 90 days following the payment due date, a licensee may request a grace period. Generally, where a licensee submits a showing, supported by an affidavit, that it in bankruptcy, foreclosure or financial distress, there will be a presumption in favor of granting a three-month grace period (commencing ninety days after the missed payment date). Any request for a grace period based on financial distress must state with particularity the grounds for asserting such financial distress. Such grounds may include the existence of payment defaults on other third party debt, or the general inability to pay debts as they become due in the ordinary course of business. If no grace period is granted, then the FCC may declare a licensee in default and cancel the license any time after 90 days from the missed payment.

Where the Commission grants period and the default is not cured at the conclusion of such a grace period, the FCC may cancel the license. However, the FCC may in its discretion extend or grant additional grace periods where circumstances warrant.

In accordance with § 1.2110, the first IVDS installment payment was due June 30, 1995. IVDS licensees not making their first installment payment with the Commission by September 28, 1995, will be deemed to be in default. Requests for the additional three-month grace period should contain the detailed justification described above, and be sent to the following address: Federal Communications Commission, Wireless Telecommunications Bureau, Private Wireless Division, 2025 M Street NW., Room 8010, Washington, DC 20554, Attention: Stop Code 2000-F.

Wireless Telecommunications Bureau
contact: Joy Alford at 418-0680.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 95-18452 Filed 8-2-95; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 2

[FCC 95-316]

Fixed-satellite service**AGENCY:** Federal Communications Commission.**ACTION:** Final rule.

SUMMARY: By This *Memorandum Opinion and Order (MO&O)*, the Commission amends its Table of Frequency Allocations by adding a footnote and revising a footnote to permit use of the 17.8–20.2 GHz band for military space-to-Earth (“downlink”) fixed-satellite transmission. This action is taken at the request of the National Telecommunications and Information Administration (“NTIA”) for the purpose of advancing, supporting, and accommodating the national defense.

EFFECTIVE DATE: August 3, 1995.

FOR FURTHER INFORMATION CONTACT: Tom Mooring, Office of Engineering and Technology, (202) 776-1620.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission’s *MO&O*, adopted July 28, 1995, and released July 31, 1995. The complete *MO&O* is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, N.W., Washington, D.C., and also may be purchased from the Commission’s duplication contractor, International Transcription Service, (202) 857-3800, 2100 M Street, N.W., Suite 140, Washington D.C. 20037.

Summary of MO&O

1. On July 12, 1995, NTIA requested that the Commission add a United States footnote to the United States Table of Frequency Allocations to permit use of the 17.8–20.2 GHz band for Government downlink fixed-satellite transmissions. NTIA states that the reallocation is essential to fulfill requirements for Government space systems to perform satisfactorily, that current Department of Defense (“DoD”) requirements cannot be accommodated in frequency bands currently allocated for Government use, and that due to the

likely consideration of this band at 1995 World Radiocommunication Conference, this matter is urgent. NTIA further states that this matter involves military functions, as well as specific sensitive national security interests of the United States. NTIA therefore asks that the Commission forgo notice and comment rulemaking procedure and immediately amend the Table of Frequency Allocations in accordance with its request.

2. During our inter-agency consultations, NTIA stated that these Government satellite systems would comply with the International Telecommunication Union’s Radio Regulations. NTIA also stated that, because of the urgent national security interests at stake, the amended rules should be made effective immediately upon publication in the **Federal Register**. In addition, the Commission proposed to revise Government Footnote G117 by adding a reference to the 17.8–20.2 GHz band, thereby limiting Government fixed-satellite use of the band to military systems. The Commission made this proposal in order to preserve as much of the spectrum as possible for commercial systems. NTIA did not object to the proposed revision of G117.

3. Based on the foregoing, the Commission finds that this matter involves the exercise of military functions of the United States and that, because the request is based on urgent national security needs, notice and public procedure are, for good cause shown, impracticable, unnecessary, and contrary to the public interest. See 5 U.S.C. § 553(a)(1), (b)(3)(B); *Bendix Aviation Corp v. F.C.C.*, 272 F.2d 533 (D.C.Cir. 1959), *cert. denied sub nom. Aeronautical Radio, Inc. v. U.S.*, 361 U.S. 965 (1960). Based on the representations of NTIA that the reallocation is essential to fulfill requirements for Government space systems to perform satisfactorily and that current DoD requirements cannot be accommodated in frequency bands currently allocated for Government use, the Commission finds that the public

interest will best be served by accommodating the NTIA request and immediately adding United States Footnote US334 to and amending Government Footnote G117 of the Table of Frequency Allocations. In addition, we are ministerially adding non-Government Footnote NG144 to the non-Government table in both the 18.6–18.8 GHz and 18.8–19.7 GHz bands in order to correct their previous inadvertent omission. Because this is a ministerial correction and not a substantive change to the rules, notice and comment are unnecessary.

4. Accordingly, it is ordered that Part 2 of the Commission’s Rules, 47 C.F.R. Part 2, is amended as set forth in the amendatory text, effective immediately. Authority for this action is contained in Sections 4(i), 4(j), 303(c), and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. Sections 154(i), 154(j), 303(c), and 303(r).

List of Subjects in 47 CFR Part 2

Radio.

Federal Communications Commission.

William F. Caton,*Acting Secretary***Amendatory Text**

Part 2 of Title 47 of the Code of Federal Regulations is amended as follows:

PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

1. The authority citation in Part 2 continues to read as follows:

Authority: Sections 4, 302, 303, and 307 of the Communications Act of 1934, as amended, 47 U.S.C. Sections 154, 302, 303, and 307, unless otherwise noted.

2. Section 2.106, the Table of Frequency Allocations, is amended as follows:

a. Columns 4 and 5 in the frequency band 17.8–20.2 GHz are revised as follows:

§ 2.106 Table of Frequency Allocations.

* * * * *

International table			United States table		FCC use designators	
Region 1—allocation GHz	Region 2—allocation GHz	Regional 3—allocation GHz	Government allocation GHz	Non-Government allocation GHz	Rule part(s)	Special-use frequencies
(1)	(2)	(3)	(4)	(5)	(6)	(7)
* 7.7–18.1 FIXED FIXED-SATELLITE (space-to-Earth) (Earth-to-space) 869 MOBILE	* 17.7–18.1 FIXED FIXED-SATELLITE (space-to-Earth) (Earth-to-space) 869 MOBILE	* 17.7–18.1 FIXED FIXED-SATELLITE (space-to-Earth) (Earth-to-space) 869 MOBILE	* 17.8–18.6	* 17.8–18.6 FIXED FIXED-SATELLITE (space-to-Earth) MOBILE	* AUXILIARY BROADCASTING (74) CABLE TELEVISION RELAY (78) DOMESTIC PUBLIC FIXED (21) PRIVATE OPERATIONAL-FIXED MICROWAVE (94)	*
18.1–18.6 FIXED FIXED-SATELLITE (space-to-Earth) MOBILE 870	18.1–18.6 FIXED FIXED-SATELLITE (space-to-Earth) MOBILE 870	18.1–18.6 FIXED FIXED-SATELLITE (space-to-Earth) MOBILE 870	870 US334 G117	870 US334 NG1434		
18.6–18.8 FIXED FIXED-SATELLITE (space-to-Earth) 872 MOBILE except aeronautical mobile Earth Exploration—Satellite (passive) Space Research (passive) 871	18.6–18.8 EARTH EXPLORATION—SATELLITE (passive) FIXED FIXED-SATELLITE (space-to-Earth) 872 MOBILE except aeronautical mobile SPACE RESEARCH (passive) 871	18.6–18.8 FIXED FIXED-SATELLITE (space-to-Earth) 872 MOBILE except aeronautical mobile Earth Exploration—Satellite (passive) Space Research (passive) 871	18.6–18.8 EARTH EXPLORATION—SATELLITE (passive) SPACE RESEARCH (passive) US254 US255 US334 G117 18.8–19.7	18.6–18.8 EARTH EXPLORATION—SATELLITE (passive) FIXED FIXED-SATELLITE (space-to-Earth) MOBILE except aeronautical mobile SPACE RESEARCH (passive) US254 US255 US334 NG144 18.8–19.7 FIXED FIXED-SATELLITE (space-to-Earth) MOBILE	AUXILIARY BROADCASTING (74) CABLE TELEVISION RELAY (78) DOMESTIC PUBLIC FIXED (21) PRIVATE OPERATIONAL-FIXED MICROWAVE (94)	
18.8–19.7 FIXED FIXED-SATELLITE (space-to-Earth) MOBILE	18.8–19.7 FIXED FIXED-SATELLITE (space-to-Earth) MOBILE	18.8–19.7 FIXED FIXED-SATELLITE (space-to-Earth) MOBILE			AUXILIARY BROADCASTING (74) CABLE TELEVISION RELAY (78) DOMESTIC PUBLIC FIXED (21) PRIVATE OPERATIONAL-FIXED MICROWAVE (94)	
19.7–20.1 FIXED-SATELLITE (space-to-Earth) Mobile-Satellite (space-to-Earth) 873	19.7–20.1 FIXED-SATELLITE (space-to-Earth) MOBILE-SATELLITE (space-to-Earth) 873 873A 873B 873C 873D 873E	19.7–20.1	US334 G117 FIXED-SATELLITE (space-to-Earth) Mobile-Satellite (space-to-Earth)	US334 NG144 19.7–20.1	19.7–20.1 FIXED-SATELLITE (space-to-Earth) MOBILE-SATELLITE (space-to-Earth)	
20.1–20.2 FIXED-SATELLITE (space-to-Earth) MOBILE-SATELLITE (space-to-Earth)	20.1–20.2 FIXED-SATELLITE (space-to-Earth) MOBILE-SATELLITE (space-to-Earth) 873 873A 873B 873C 873D	20.1–20.2 FIXED-SATELLITE (space-to-Earth) MOBILE-SATELLITE (space-to-Earth)	20.1–20.2 US334 G117	20.1–20.2 FIXED-SATELLITE (space-to-Earth) MOBILE-SATELLITE (space-to-Earth) 873A 873B 873C 873D US334		
*	*	*	*	*	*	*

b. Add the text of new United States footnote US334 to read as follows:

United States (US) Footnotes

* * * * *

US334 In the band 17.8–20.2 GHz, Government space stations and associated earth stations in the fixed-satellite (space-to-Earth) service may be authorized on a primary basis. For a Government geostationary satellite network to operate on a primary basis, the space station shall be located outside the arc measured from East to West, 70° W to 120° W. Coordination between Government fixed-satellite systems and non-Government systems operating in accordance with the United States Table of Frequency Allocations is required.

c. Revise the text of existing Government footnote G117 to read as follows:

Government (G) Footnotes

* * * * *

G117 In the bands 7.25–7.75 GHz, 7.9–8.4 GHz, 17.8–21.2 GHz, 30–31 GHz, 39.5–40.5 GHz, 43.5–45.5 GHz, and 50.4–51.4 GHz the Government fixed-satellite and mobile-satellite services are limited to military systems.

* * * * *

[FR Doc. 95–19164 Fixed 8–2–95; 8:45 am]

BILLING CODE 6712–01–M

47 CFR Part 73

[MM Docket No. 95–29; RM–8596 and RM–8637]

Radio Broadcasting Services; Iron Mountain and Negaunee, MI

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document allots Channel 294A to Iron Mountain, Michigan in response to a request from Superior Media Group, Inc. See 60 FR 12530, March 7, 1995. The coordinates for Channel 294A at Iron Mountain are 45–49–12 and 88–04–06. In response to a counterproposal filed by Negaunee Miners Radio, we shall allot Channel 258A to Negaunee, Michigan. The coordinates for Channel 258A at

Negaunee are 46–30–18 and 87–36–24. Canadian concurrence has been received for the allotment of Channel 294A at Iron Mountain and Channel 258A at Negaunee. With this action, this proceeding is terminated.

DATES: Effective September 14, 1995. The window period for filing applications will open on September 14, 1995, and close on October 16, 1995.

FOR FURTHER INFORMATION CONTACT:

Kathleen Scheuerle, Mass Media Bureau, (202) 418–2180.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Report and Order*, MM Docket No. 95–29, adopted July 24, 1995, and released July 31, 1995. The full text of this Commission decision is available for inspection and copying during normal business hours in the Commission's Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Services, Inc., 2100 M Street, NW., Suite 140, Washington, DC 20037, (202) 857–3800.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Part 73 of title 47 of the Code of Federal Regulations is amended as follows:

PART 73—[AMENDED]

1. The authority citation for part 73 continues to read as follows:

Authority: Secs. 303, 48 Stat., as amended, 1082; 47 U.S.C. 154, as amended.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Michigan, is amended by adding Channel 294A at Iron Mountain and by adding Negaunee, Channel 258A.

Federal Communications Commission.

Andrew J. Rhodes,

Acting Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 95–19098 Filed 8–2–95; 8:45 am]

BILLING CODE 6712–01–F

47 CFR Part 73

[MM Docket No. 87–417, RM–6108]

Television Broadcasting Services; Lima, OH; Muncie, IN; Rockford, IL; and Grand Rapids, MI

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Chief, Policy and Rules Division dismissed as moot the application for review filed by Lima Communications Corporation in response to the withdrawal by the original proponent of the allotment of its commitment to file an application for authority to construct a television station to operate on Channel 17 at Lima, Ohio. The Chief, Policy and Rules Division, had affirmed, by *Memorandum Opinion and Order*, 7 FCC Rcd 5933 (1992), the *Report and Order* in this proceeding, 52 FR 29,896, published August 9, 1988. Accordingly, the Commission rescinds the allotments ordered in the communities of Lima, Ohio of Channel 17; Muncie, Indiana of Channel *61; Rockford, Illinois of Channel 17+; and Grand Rapids, Michigan of Channel 17–. The Commission further orders the restoration of Channel *17+ in Muncie, Indiana; Channel 17– in Rockford, Illinois; and Channel 17 in Grand Rapids, Michigan. With this action, the proceeding is terminated.

EFFECTIVE DATE: August 3, 1995.

FOR FURTHER INFORMATION CONTACT: J. Bertron Withers, Jr., Mass Media Bureau, (202) 418–2180.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Memorandum Opinion and Order*, MM Docket No. 87–417, adopted July 21, 1995 and released July 31, 1995. The full text of this Commission decision is available for inspection and copying during normal business hours in Commission's Reference Center (Room 239), 1919 M Street, NW., Washington, DC 20554. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Services,